



General Assembly

January Session, 2015

Amendment

LCO No. 8670



Offered by:

REP. TONG, 147th Dist.

REP. REBIMBAS, 70th Dist.

To: Subst. House Bill No. 7027

File No. 688

Cal. No. 453

"AN ACT CONCERNING REVISIONS TO CERTAIN CRIMINAL STATUTES."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2015*) Not later than January 1,
4 2016, and quarterly thereafter, the Commissioner of Correction, after
5 consultation with the Criminal Justice Policy and Planning Division
6 within the Office of Policy and Management, shall, in accordance with
7 the provisions of section 11-4a of the general statutes, report to the
8 General Assembly details about earned risk reduction credits awarded
9 to reduce an inmate's sentence pursuant to section 18-98e of the
10 general statutes, as amended by this act. Such report shall include: (1)
11 The number of inmates released overall and the number of inmates
12 released early as a result of the award of such credit; (2) the crimes for
13 which such released inmates were convicted; (3) the amount of risk
14 reduction credit earned by inmates released early pursuant to such
15 credit; and (4) any recidivism data regarding inmates who were

16 released early pursuant to such credit, including any data such as rate
17 of reentry into the correctional system, elapsed time between release
18 and such reentry, and the crimes for which such inmates were
19 convicted that resulted in such reentry. Not later than thirty days after
20 submission of the report to the General Assembly, said commissioner
21 shall post the report on the Department of Correction's Internet web
22 site.

23 Sec. 2. Subsection (b) of section 29-35 of the general statutes is
24 repealed and the following is substituted in lieu thereof (*Effective*
25 *October 1, 2015*):

26 (b) The holder of a permit issued pursuant to section 29-28, as
27 amended by this act, shall carry such permit upon one's person while
28 carrying such pistol or revolver. Such holder shall present his or her
29 permit upon the request of a law enforcement officer who has
30 reasonable suspicion of a crime for purposes of verification of the
31 validity of the permit or identification of the holder, provided such
32 holder is carrying a pistol or revolver that is observed by such law
33 enforcement officer.

34 Sec. 3. Subsection (d) of section 29-28 of the general statutes is
35 repealed and the following is substituted in lieu thereof (*Effective*
36 *October 1, 2015*):

37 (d) Notwithstanding the provisions of sections 1-210 and 1-211, the
38 name and address of a person issued a permit to sell at retail pistols
39 and revolvers pursuant to subsection (a) of this section or a state or a
40 temporary state permit to carry a pistol or revolver pursuant to
41 subsection (b) of this section, or a local permit to carry pistols and
42 revolvers issued by local authorities prior to October 1, 2001, shall be
43 confidential and shall not be disclosed, except (1) such information
44 may be disclosed to law enforcement officials acting in the
45 performance of their duties, including, but not limited to, employees of
46 the United States Probation Office acting in the performance of their
47 duties and parole officers within the Department of Correction acting

48 in the performance of their duties, (2) the issuing authority may
49 disclose such information to the extent necessary to comply with a
50 request made pursuant to section 29-33, 29-37a or 29-38m for
51 verification that such state or temporary state permit is still valid and
52 has not been suspended or revoked, and the local authority may
53 disclose such information to the extent necessary to comply with a
54 request made pursuant to section 29-33, 29-37a or 29-38m for
55 verification that a local permit is still valid and has not been suspended
56 or revoked, and (3) such information may be disclosed to the
57 Commissioner of Mental Health and Addiction Services to carry out
58 the provisions of subsection (c) of section 17a-500.

59 Sec. 4. Subsection (e) of section 29-36g of the general statutes is
60 repealed and the following is substituted in lieu thereof (*Effective*
61 *October 1, 2015*):

62 (e) Notwithstanding the provisions of sections 1-210 and 1-211, the
63 name and address of a person issued an eligibility certificate for a
64 pistol or revolver under the provisions of section 29-36f shall be
65 confidential and shall not be disclosed, except (1) such information
66 may be disclosed to law enforcement officials acting in the
67 performance of their duties, including, but not limited to, employees of
68 the United States Probation Office acting in the performance of their
69 duties and parole officers within the Department of Correction acting
70 in the performance of their duties, (2) the Commissioner of Emergency
71 Services and Public Protection may disclose such information to the
72 extent necessary to comply with a request made pursuant to section
73 29-33, 29-37a or 29-38m for verification that such certificate is still valid
74 and has not been suspended or revoked, and (3) such information may
75 be disclosed to the Commissioner of Mental Health and Addiction
76 Services to carry out the provisions of subsection (c) of section 17a-500.

77 Sec. 5. Subdivision (5) of subsection (a) of section 53-202d of the
78 general statutes is repealed and the following is substituted in lieu
79 thereof (*Effective October 1, 2015*):

80 (5) The department shall adopt regulations, in accordance with the
81 provisions of chapter 54, to establish procedures with respect to the
82 application for and issuance of certificates of possession pursuant to
83 this section. Notwithstanding the provisions of sections 1-210 and 1-
84 211, the name and address of a person issued a certificate of possession
85 shall be confidential and shall not be disclosed, except such records
86 may be disclosed to (A) law enforcement agencies and employees of
87 the United States Probation Office acting in the performance of their
88 duties and parole officers within the Department of Correction acting
89 in the performance of their duties, and (B) the Commissioner of Mental
90 Health and Addiction Services to carry out the provisions of
91 subsection (c) of section 17a-500.

92 Sec. 6. Subsection (e) of section 29-38n of the general statutes is
93 repealed and the following is substituted in lieu thereof (*Effective*
94 *October 1, 2015*):

95 (e) Notwithstanding the provisions of sections 1-210 and 1-211, the
96 name and address of a person issued an ammunition certificate under
97 this section shall be confidential and shall not be disclosed, except (1)
98 such information may be disclosed to law enforcement officials acting
99 in the performance of their duties, including, but not limited to,
100 employees of the United States Probation Office acting in the
101 performance of their duties and parole officers within the Department
102 of Correction acting in the performance of their duties, (2) the
103 Commissioner of Emergency Services and Public Protection may
104 disclose such information to the extent necessary to comply with a
105 request made pursuant to section 29-38m for verification that such
106 certificate is still valid and has not been suspended or revoked, and (3)
107 such information may be disclosed to the Commissioner of Mental
108 Health and Addiction Services to carry out the provisions of
109 subsection (c) of section 17a-500.

110 Sec. 7. Subsection (d) of section 29-37q of the general statutes is
111 repealed and the following is substituted in lieu thereof (*Effective*
112 *October 1, 2015*):

113 (d) Notwithstanding the provisions of sections 1-210 and 1-211, the
114 name and address of a person issued a long gun eligibility certificate
115 under the provisions of section 29-37p shall be confidential and shall
116 not be disclosed, except (1) such information may be disclosed to law
117 enforcement officials acting in the performance of their duties,
118 including, but not limited to, employees of the United States Probation
119 Office acting in the performance of their duties and parole officers
120 within the Department of Correction acting in the performance of their
121 duties, (2) the Commissioner of Emergency Services and Public
122 Protection may disclose such information to the extent necessary to
123 comply with a request made pursuant to section 29-37a or 29-38m for
124 verification that such certificate is still valid and has not been
125 suspended or revoked, and (3) such information may be disclosed to
126 the Commissioner of Mental Health and Addiction Services to carry
127 out the provisions of subsection (c) of section 17a-500.

128 Sec. 8. Subsection (c) of section 53-202x of the general statutes is
129 repealed and the following is substituted in lieu thereof (*Effective*
130 *October 1, 2015*):

131 (c) The department may adopt regulations, in accordance with the
132 provisions of chapter 54, to establish procedures with respect to
133 applications under this section. Notwithstanding the provisions of
134 sections 1-210 and 1-211, the name and address of a person who has
135 declared possession of a large capacity magazine shall be confidential
136 and shall not be disclosed, except such records may be disclosed to (1)
137 law enforcement agencies and employees of the United States
138 Probation Office acting in the performance of their duties and parole
139 officers within the Department of Correction acting in the performance
140 of their duties, and (2) the Commissioner of Mental Health and
141 Addiction Services to carry out the provisions of subsection (c) of
142 section 17a-500.

143 Sec. 9. Section 18-98e of the general statutes is repealed and the
144 following is substituted in lieu thereof (*Effective October 1, 2015*):

145 (a) Notwithstanding any provision of the general statutes, any
146 person sentenced to a term of imprisonment for a crime committed on
147 or after October 1, 1994, and committed to the custody of the
148 Commissioner of Correction on or after said date, except a person
149 sentenced for a violation of section 53a-54a, 53a-54b, 53a-54c, 53a-54d,
150 53a-55, 53a-55a, 53a-70a, 53a-70c or 53a-100aa, or is a persistent
151 dangerous felony offender or persistent dangerous sexual offender
152 pursuant to section 53a-40, may be eligible to earn risk reduction credit
153 toward a reduction of such person's sentence, in an amount not to
154 exceed five days per month, at the discretion of the Commissioner of
155 Correction for conduct as provided in subsection (b) of this section
156 occurring on or after April 1, 2006.

157 (b) An inmate may earn risk reduction credit for adherence to the
158 inmate's offender accountability plan, for participation in eligible
159 programs and activities, and for good conduct and obedience to
160 institutional rules as designated by the commissioner, provided (1)
161 good conduct and obedience to institutional rules alone shall not
162 entitle an inmate to such credit, and (2) the commissioner or the
163 commissioner's designee may, in his or her discretion, cause the loss of
164 all or any portion of such earned risk reduction credit for any act of
165 misconduct or insubordination or refusal to conform to recommended
166 programs or activities or institutional rules occurring at any time
167 during the service of the sentence or for other good cause. If an inmate
168 has not earned sufficient risk reduction credit at the time the
169 commissioner or the commissioner's designee orders the loss of all or a
170 portion of earned credit, such loss shall be deducted from any credit
171 earned by such inmate in the future.

172 (c) The award of risk reduction credit earned for conduct occurring
173 prior to July 1, 2011, shall be phased in consistent with public safety,
174 risk reduction, administrative purposes and sound correctional
175 practice, at the discretion of the commissioner, but shall be completed
176 not later than July 1, 2012.

177 (d) Any credit earned under this section may only be earned during

178 the period of time that the inmate is sentenced to a term of
 179 imprisonment and committed to the custody of the commissioner and
 180 may not be transferred or applied to a subsequent term of
 181 imprisonment. In no event shall any credit earned under this section be
 182 applied by the commissioner so as to reduce a mandatory minimum
 183 term of imprisonment such inmate is required to serve by statute.

184 (e) Prior to release of any inmate whose sentence is being reduced
 185 due to risk reduction credits earned pursuant to this section, the
 186 warden of the correctional facility from which such inmate is to be
 187 released, shall review such inmate's records and verify that the inmate
 188 earned the risk reduction credits being applied to reduce such inmate's
 189 sentence.

190 [(e)] (f) The commissioner shall adopt policies and procedures to
 191 determine the amount of credit an inmate may earn toward a
 192 reduction in his or her sentence and to phase in the awarding of
 193 retroactive credit authorized by subsection (c) of this section."

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2015	New section
Sec. 2	October 1, 2015	29-35(b)
Sec. 3	October 1, 2015	29-28(d)
Sec. 4	October 1, 2015	29-36g(e)
Sec. 5	October 1, 2015	53-202d(a)(5)
Sec. 6	October 1, 2015	29-38n(e)
Sec. 7	October 1, 2015	29-37q(d)
Sec. 8	October 1, 2015	53-202x(c)
Sec. 9	October 1, 2015	18-98e